

**EIGHTIETH LEGISLATIVE DAY  
WEDNESDAY, MARCH 26, 2003**

House of Representatives

The House convened at 10:45 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Brittni McLam, Page.

**Approval of Journal**

March 26, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-ninth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

March 25, 2003

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 19 and H 105**

Very truly yours,  
/s/ DIRK A. KEMPTHORNE  
Governor

March 25, 2003

Mr. Speaker:

I transmit herewith enrolled **S 1149, S 1150, S 1151, S 1152, and S 1153** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1149, S 1150, S 1151, S 1152, and S 1153** and, when so signed, ordered them returned to the Senate.

March 25, 2003

Mr. Speaker:

I return herewith enrolled **H 206**, as amended, **H 203, H 213, H 237, H 238**, as amended, and **H 211**, as amended, which have been signed by the President.

WOOD, Secretary

Enrolled **H 206**, as amended, **H 203, H 213, H 237, H 238**, as amended, and **H 211**, as amended, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 25, 2003

Mr. Speaker:

I transmit herewith **S 1165** which has passed the Senate.

WOOD, Secretary

**S 1165** was filed for first reading.

March 25, 2003

Mr. Speaker:

I return herewith **H 305, H 352, H 353, H 354, H 355, H 361, H 321, H 248**, and **H 313** which have passed the Senate.

WOOD, Secretary

**H 305, H 352, H 353, H 354, H 355, H 361, H 321, H 248**, and **H 313** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

**Report of Standing Committees**

March 26, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HJM 11, H 389, H 390, H 391**, and **H 392**.

FIELD(18), Chairman

**H 389** and **H 390** were referred to the Revenue and Taxation Committee.

**H 391** was referred to the Agricultural Affairs Committee.

**H 392** was referred to the State Affairs Committee.

**HJM 11** was filed for second reading.

March 26, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 360, H 123, H 312, H 314, H 4, H 295, H 140, H 232**, as amended, **H 15, H 347, H 348, H 349, H 350**, and **H 351**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 360, H 123, H 312, H 314, H 4, H 295, H 140, H 232**, as amended, **H 15, H 347, H 348, H 349, H 350**, and **H 351**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 26, 2003 reading.

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 174**, as amended, as amended in the Senate, and **H 110**, as amended, as amended in the Senate.

FIELD(18), Chairman

**H 174**, as amended, as amended in the Senate, and **H 110**, as amended, as amended in the Senate, were filed for first reading of engrossed bills.

March 26, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 328**, **H 332**, **H 340**, **H 341**, **H 342**, **H 343**, **H 344**, **H 345**, **H 12**, **H 26**, **H 303**, **H 307**, **H 308**, and **H 309** to the Governor at 1:25 p.m., as of this date, March 25, 2003.

FIELD(18), Chairman

March 25, 2003

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **H 252** and **H 381** and report them back with amendments attached to be placed on General Orders for consideration.

STEVENSON, Chairman

**H 252** and **H 381** were placed on General Orders for consideration.

March 26, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1136**, as amended, and recommend it be referred to the Transportation and Defense Committee.

FIELD(18), Chairman

**S 1136**, as amended, was referred to the Transportation and Defense Committee.

March 25, 2003

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 383** and recommend that it do pass.

BLACK, Chairman

**H 383** was filed for second reading.

March 26, 2003

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 387**, **SCR 109**, and **SCR 110** and recommend that they do pass.

DEAL, Chairman

**H 387**, **SCR 109**, and **SCR 110** were filed for second

March 26, 2003

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 386** and report it back with amendments attached to be placed on General Orders for consideration.

DEAL, Chairman

**H 386** was placed on General Orders for consideration.

March 26, 2003

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **HJM 9** and recommend it be referred to the Transportation and Defense Committee.

DEAL, Chairman

**HJM 9** was referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

#### HOUSE CONCURRENT RESOLUTION NO. 29

#### BY WAYS AND MEANS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING THE IDAHO COUNCIL ON DEVELOPMENTAL DISABILITIES, IN COLLABORATION WITH THE DEPARTMENT OF HEALTH AND WELFARE AND OTHER STAKEHOLDERS, IN CONVENING A TASK FORCE TO DEVELOP A WAIVER FOR A SELF-DIRECTED SERVICE DELIVERY SYSTEM FOR IDAHOANS WITH DEVELOPMENTAL DISABILITIES AND REQUESTING A REPORT.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Medicaid costs for services to people with developmental disabilities are increasing; and

WHEREAS, many Idahoans with developmental disabilities rely on Medicaid for their long-term service needs; and

WHEREAS, growth in the Medicaid budget requires all opportunities for savings to be explored, including strategies for people with developmental disabilities to become less dependent on the current service delivery system; and

WHEREAS, people with developmental disabilities should have authority over their life decisions and be responsible for their choices; and

WHEREAS, people with developmental disabilities should control a limited amount of dollars that can be used flexibly to acquire necessary supports; and

WHEREAS, although the state of Idaho has made some progress in designing a service delivery system for people with developmental disabilities that permits some choices, these

choices are limited; and

WHEREAS, other states have developed and implemented self-determination models which have increased cost effectiveness and consumer control; and

WHEREAS, all individuals belong in and bring value to their communities; and

WHEREAS, all individuals with developmental disabilities are valued partners in policymaking pertaining to their services and supports.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature encourages the Idaho Council on Developmental Disabilities to collaborate with the Department of Health and Welfare and other stakeholders, in convening a task force for the purpose of developing a Medicaid self-determination waiver.

BE IT FURTHER RESOLVED that the Legislature supports including participation of people with developmental disabilities, family members, appropriate public agencies, service providers and advocates in the development of this waiver.

BE IT FURTHER RESOLVED that the Legislature encourages the Department of Health and Welfare to submit such a waiver to the federal Centers on Medicaid and Medicare for approval, following an opportunity for legislative review during the 2004 legislative session.

BE IT FURTHER RESOLVED that the Legislature recommends that this waiver would be available to no more than two hundred qualified individuals with developmental disabilities, would cost no more on average than services currently available through the HCBS waiver for people with developmental disabilities, would include an individual budget driven by a person-centered plan, would allow people with developmental disabilities to negotiate for services and supports from traditional and nontraditional providers with the assistance of a broker and a fiscal agent, and would continue for a period of at least two years to permit adequate usage and data collection.

AND BE IT FURTHER RESOLVED that the Legislature requests that the Idaho Council on Developmental Disabilities report its progress on this effort, including cost analysis, to the Legislature by January 15, 2004.

**HCR 29** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

#### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

#### **HOUSE BILL NO. 393 BY EDUCATION COMMITTEE AN ACT**

RELATING TO PUBLIC SCHOOL BOARDS OF TRUSTEES AND INSTRUCTIONAL HOURS; AMENDING SECTION 33-512, IDAHO CODE, TO PROVIDE THAT INSTRUCTIONAL HOURS FOR REQUIRED ACADEMIC SUBJECTS AND CURRICULUM SHALL BE SCHEDULED ON MONDAY THROUGH THURSDAY, TO PROVIDE THAT NONINSTRUCTIONAL AND NONACADEMIC CLASSES,

SOCIAL, ATHLETIC AND EXTRACURRICULAR ACTIVITIES MAY BE SCHEDULED ON BOTH FRIDAY AND SATURDAY, TO EXCLUDE TIME IN SCHOOL ASSEMBLIES FROM BEING INCLUDED IN INSTRUCTIONAL HOURS, TO PROVIDE THAT EDUCATION PROGRAMS FOR OUT-OF-SCHOOL YOUTH AND ADULTS SHALL NOT BE SCHEDULED TO INTERFERE WITH THE ACADEMIC INSTRUCTIONAL HOURS RESERVED FOR MONDAY THROUGH THURSDAY, TO PROVIDE THAT KINDERGARTEN CLASSES SHALL BE SCHEDULED DURING REQUIRED INSTRUCTIONAL HOURS AS PROVIDED HEREIN, TO PROVIDE THAT EXTRACURRICULAR ACTIVITIES SHALL NOT BE SCHEDULED AT ANY TIME MONDAY THROUGH THURSDAY AND TO CLARIFY THAT TIME SPENT IN EXTRACURRICULAR ACTIVITIES SHALL NOT BE COUNTED TOWARD GENERAL ATTENDANCE REQUIREMENTS.

**H 393** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1165**, by State Affairs Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

#### **First Reading of Engrossed Bills**

**H 174**, as amended, as amended in the Senate, by Resources and Conservation Committee, was introduced, read the first time by title and filed for second reading.

**H 110**, as amended, as amended in the Senate, by State Affairs Committee, was introduced, read the first time by title and filed for second reading.

#### **Second Reading of Bills and Joint Resolutions**

**HJM 10**, **H 335**, as amended, and **H 336**, as amended, by Ways and Means Committee, were read the second time by title and filed for third reading.

**S 1053**, as amended, by Transportation Committee, was read the second time by title and filed for third reading.

**S 1075**, by Health and Welfare Committee, was read the second time by title and filed for third reading.

**S 1128** and **S 1115**, as amended in the House, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

**SJM 102** and **SJM 103**, by State Affairs Committee, were read the second time by title and filed for third reading.

**S 1168**, by Finance Committee, was read the second time by title and filed for third reading.

**H 202**, as amended, as amended, by Health and Welfare Committee, was read the second time by title and filed for third reading.

**H 383**, by Education Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Thirteenth Order of Business.

#### Miscellaneous and Unfinished Business

HOUSE OF REPRESENTATIVES  
Speaker Of The House

March 26, 2003

Representative Lawrence Denney  
House Majority Leader

Dear Representative Denney:

Pursuant to rule 76 of the House of Representatives I am requesting that you convene a committee of four members of the majority party and three members of the minority party to ascertain if any action taken by the Speaker of the House was inappropriate in a meeting on March 25, 2003. This meeting was with some of the majority members of the Revenue and Taxation Committee to discuss procedural motions that may be made when a bill to raise revenues is made in committee, one of which is to come to the floor without recommendation. Also discussed was what obligations the members have when supporting that recommendation. During this meeting I gave a historical perspective of what has occurred in the past. Also during this meeting I denied access to the press, more specifically Chuck Oxley of the Associated Press. I am asking you to resolve this matter as soon as you deem appropriate.

Sincerely,  
/s/ BRUCE NEWCOMB  
Speaker of the House

There being no objection, the House returned to the Eleventh Order of Business.

#### Third Reading of Bills and Joint Resolutions

**H 294** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson and Mr. Langhorst to open debate.

The question being, "Shall **H 294** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter(Bieter), Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle,

Edmunson, Ellsworth, Eskridge, Field(23), Gagner, Garrett, Henbest(Bray), Jaquet, Jones, Kellogg, Lake, Langhorst, Martinez, McGeachin, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ringo, Roberts, Robison, Rydallch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- Barrett, Harwood, Kulczyk, Langford, McKague, Wood. Total -- 6.

Absent and excused -- Crow, Field(18), Ring. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 294** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 337** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Harwood to open debate.

The question being, "Shall **H 337** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter(Bieter), Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(23), Gagner, Garrett, Harwood, Henbest(Bray), Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ringo, Roberts, Robison, Rydallch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Crow, Field(18), Ring. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 337** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Sali asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Day. Mrs. Kellog objected.

**H 338** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Shirley to open debate.

The question being, "Shall **H 338** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter(Bieter), Black, Block, Boe, Bolz, Bradford, Campbell,

Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(23), Gagner, Garrett, Harwood, Henbest(Bray), Jaquet, Jones, Lake, Langford, Langhorst, Martinez, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ringo, Robison, Rydalc, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Mr. Speaker. Total -- 58.

NAYS -- Barrett, Crow, Kellogg, Kulczyk, McGeachin, McKague, Roberts, Sali, Wood. Total -- 9.

Absent and excused -- Eberle, Field(18), Ring. Total -- 3.  
Total -- 70.

Whereupon the Speaker declared **H 338** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that **H 369** and **H 375** retain their places on the Third Reading Calendar.

**H 374** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Miller to open debate.

Mrs. Kellogg asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Day. Mr. Sali objected.

The question being, "Shall **H 374** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barrett, Bauer, Bedke, Bieter(Bieter), Black, Block, Bolz, Clark, Cuddy, Deal, Douglas, Edmunson, Eskridge, Field(18), Gagner, Garrett, Henbest(Bray), Jaquet, Jones, Kellogg, Langhorst, Martinez, Meyer, Miller, Mitchell, Naccarato, Nielsen, Ridinger, Ringo, Robison, Sayler, Shepherd, Skippen, Smith(30), Snodgrass, Stevenson, Tilman, Wills, Mr. Speaker. Total -- 40.

NAYS -- Barraclough, Bell, Boe, Bradford, Cannon, Collins, Crow, Denney, Eberle, Ellsworth, Field(23), Harwood, Kulczyk, Lake, Langford, McGeachin, McKague, Moyle, Raybould, Ring, Roberts, Rydalc, Sali, Schaefer, Shirley, Smith(24), Smylie, Trail, Wood. Total -- 29.

Absent and excused -- Campbell. Total -- 1.  
Total -- 70.

Whereupon the Speaker declared **H 374** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that the House recess until 1 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1 p.m.

RECESS

## Afternoon Session

The House reconvened at 1 p.m., Mr. Denney in the Chair.

Roll call showed 69 members present.

Absent and excused -- Cannon. Total -- 1.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

## Third Reading of Bills and Joint Resolutions

Mr. Kulczyk asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Day. There being no objection, it was so ordered.

**H 369** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Field(18) to open debate.

The question being, "Shall **H 369** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bedke, Bell, Bieter(Bieter), Black, Block, Boe, Bolz, Bradford, Campbell, Clark, Collins, Crow, Cuddy, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest(Bray), Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalc, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Trail, Wills, Wood. Total -- 62.

NAYS -- Barrett, Eberle, Kulczyk, McGeachin, McKague. Total -- 5.

Absent and excused -- Cannon, Deal, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 369** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 375** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood to open debate.

At this time, the Speaker took the Chair.

Mrs. Wood asked unanimous consent that **H 375** be returned to the Transportation and Defense Committee. There being no objection, it was so ordered.

**H 365** was read the third time at length, section by section,

and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Collins to open debate.

The question being, "Shall **H 365** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter(Bieter), Black, Block, Boe, Bolz, Bradford, Campbell, Clark, Collins, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest(Bray), Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- Kulczyk. Total -- 1.

Absent and excused -- Cannon, Crow, Cuddy, Raybould, Stevenson. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 365** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 382** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Miller to open debate.

The question being, "Shall **H 382** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter(Bieter), Black, Block, Boe, Bolz, Bradford, Campbell, Clark, Collins, Crow, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest(Bray), Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Cannon, Cuddy, Raybould, Stevenson. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 382** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 346** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Tilman to open debate.

At this time, Mr. Denney took the Chair.

The question being, "Shall **H 346** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bauer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Clark, Collins, Crow, Deal, Denney, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Kellogg, Kulczyk, Lake, Langford, McGeachin, McKague, Meyer, Miller, Moyle, Nielsen, Ring, Roberts, Rydalch, Sali, Schaefer, Shepherd, Shirley, Skippen, Smith(24), Smylie, Snodgrass, Tilman, Wills, Wood. Total -- 47.

NAYS -- Andersen, Bieter(Bieter), Boe, Cuddy, Douglas, Edmunson, Henbest(Bray), Jaquet, Jones, Langhorst, Martinez, Mitchell, Naccarato, Ridinger, Ringo, Robison, Sayler, Smith(30), Trail. Total -- 19.

Absent and excused -- Cannon, Raybould, Stevenson, Mr. Speaker. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 346** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**HR 2** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ellsworth to open debate.

The question being, "Shall **HR 2** be adopted?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Clark, Collins, Crow, Cuddy, Deal, Denney, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest(Bray), Jaquet, Jones, Kellogg, Lake, Langford, McGeachin, McKague, Miller, Mitchell, Moyle, Naccarato, Nielsen, Ridinger, Ring, Ringo, Roberts, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Tilman, Trail, Wills, Wood. Total -- 59.

NAYS -- Bieter(Bieter), Douglas, Kulczyk, Langhorst, Martinez, Robison. Total -- 6.

Absent and excused -- Cannon, Meyer, Raybould, Stevenson, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared more than two-thirds of the membership having voted in the affirmative, **HR 2** was adopted. Title was approved and the resolution was ordered filed in the Office of the Chief Clerk.

**H 377** was read the third time at length, section by section,

and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **H 377** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bauer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Collins, Crow, Cuddy, Deal, Denney, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Kellogg, Kulczyk, Langford, Martinez, McGeachin, Miller, Moyle, Nielsen, Ridinger, Ring, Roberts, Sali, Schaefer, Shepherd, Skippen, Tilman, Wills, Wood. Total -- 43.

NAYS -- Andersen, Bieter(Bieter), Clark, Douglas, Henbest(Bray), Jaquet, Jones, Lake, Langhorst, McKague, Mitchell, Naccarato, Ringo, Robison, Rydalch, Sayler, Shirley, Smith(30), Smith(24), Smylie, Snodgrass, Trail. Total -- 22.

Absent and excused -- Cannon, Meyer, Raybould, Stevenson, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 377** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 384** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Gagner to open debate.

The question being, "Shall **H 384** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter(Bieter), Black, Block, Boe, Bolz, Bradford, Campbell, Clark, Collins, Crow, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest(Bray), Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, Miller, Mitchell, Moyle, Naccarato, Nielsen, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Tilman, Trail, Wills, Wood. Total -- 63.

NAYS -- None.

Absent and excused -- Cannon, Cuddy, McKague, Meyer, Raybould, Stevenson, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 384** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 10:45 a.m., Thursday, March 27, 2003. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 3:13 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk